

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS, LLC D/B/A  
BRAZOS LICENSING AND  
DEVELOPMENT,**  
*Plaintiff,*

**v.**

**CANON INC. AND CANON U.S.A.,  
INC.,**  
*Defendants.*

**CIVIL ACTION 6:22-cv-00166-ADA**

**DEFENDANTS' STIPULATION OF INVALIDITY CONTENTIONS**

Defendants Canon Inc. and Canon U.S.A., Inc. (“Canon”) submit this stipulation of invalidity contentions.

On September 12, 2022, Canon filed petition number IPR2022-01532 with the Patent Trial and Appeal Board requesting *inter partes* review of U.S. Patent No. 7,493,030 (the “’030 Patent”). The Petition asserts the following grounds of invalidity:

IPR Ground	Claims	Grounds of Unpatentability
<b>1</b>	1-9, 11-21, 23-24	Obvious under 35 U.S.C. § 103 over Japanese Application Publication No. 2002-318342 to <b>Sugitani</b> (“Sugitani”) in view of Japanese Application Publication No. 2001-103366 to <b>Kubo</b> (“Kubo”)
<b>2</b>	9, 23	Obvious under 35 U.S.C. § 103 over <b>Sugitani</b> in view of <b>Kubo</b> and further in view of Japanese Application Publication No. 2003-121913 to <b>Misawa</b> (“Misawa”)
<b>3</b>	10, 25	Obvious under 35 U.S.C. § 103 over <b>Sugitani</b> in view of <b>Kubo</b> and further in view of U.S. Patent No. 6,369,954 to <b>Berge</b> (“Berge”)
<b>4</b>	1-5, 7-9, 15-16, 18-24	Obvious under 35 U.S.C. § 103 over Japanese Application Publication No. 2003-319239 to <b>Shibata</b> (“Shibata”) in view of U.S. Patent Application Publication No. 2003/0174234 to <b>Kondo</b> (“Kondo”)
<b>5</b>	10, 25	Obvious under 35 U.S.C. § 103 over <b>Shibata</b> in view of <b>Kondo</b> and further in view of <b>Berge</b>
<b>6</b>	6, 11-14, 17	Obvious under 35 U.S.C. § 103 over <b>Shibata</b> in view of <b>Kondo</b> and further in view of <b>Kubo</b>

Defendants hereby stipulate that if the Patent Trial and Appeal Board institutes IPR on IPR2022-01532, then Defendants will not pursue in this case the specific grounds identified above in connection with the referenced patent(s) and claim(s) as originally issued on the instituted *inter partes* review petition, or on any other ground for a given patent for which the

Board institutes, that was raised or could have been reasonably raised in an IPR (*i.e.*, any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

This stipulation is not intended, and should not be construed, to limit Defendants' ability to assert invalidity of the asserted claims of the '030 Patent in this case on any other ground (*e.g.*, invalidity under 35 U.S.C. §§ 101, 112), regardless of whether *inter partes* review is instituted.

Dated: February 10, 2023

Respectfully Submitted

/s/ Richard F. Martinelli

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*Attorneys for Defendants Canon Inc. and  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served or delivered electronically to all counsel of record on the 10th day of February, 2023.

*/s/ John M. Jackson*

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John M. Jackson